

State Candidates and Primarily Formed Committees for State Candidates

Questions and Answers

1. *Is an odd-year report required if a state candidate transfers funds from a 2008 election committee to his or her 2010 election committee?*

A: No.

2. *When must a non-incumbent running for state office in June 2010 file the Campaign Statement Short Form (Form 470), if the candidate does not intend to raise or spend \$1,000 or more in 2009?*

A: If any contributions are received or any expenditures are made between January 1 and June 30, 2009, file the Form 470 no later than July 31, 2009. Because the Form 470 covers the entire calendar year, no additional campaign disclosure filings are required for 2009 as long as total contributions and total expenditures are less than \$1,000 for the entire year. If no contributions are received and no expenditures are made prior to July 1, 2009, file the Form 470 no later than January 31, 2010, if contributions are received or expenditures are made (still totaling less than \$1,000 during the calendar year) between July 1 and December 31, 2009.

3. *If a committee makes a \$5,000 contribution to a general purpose committee that is supporting state ballot measures, must the committee file a Form 497 within 10 days?*

A: A \$5,000 Report (required by Government Code Section 84204.5) is triggered if:

- a. The committee knows the \$5,000 will be used to support or oppose a single state ballot measure; or
- b. The receiving committee has reported online making contributions or expenditures exceeding \$100,000 in the past 12 months to support or oppose a state ballot measure that has not yet been on the ballot. See Regulation 18466.

4. *Is a state candidate's legal defense committee, officeholder committee, other state or local election committee, or controlled general purpose ballot measure committee required to file Form 497 within 10 days of receiving a contribution of \$5,000 or more?*

A: Yes. All committees controlled by a state candidate or officeholder, except local primarily formed ballot measure committees, must file the reports required by Government Code Section 85309.